

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIEL RAY CALDERON,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

No. 1:23-cv-01183-KES-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION WITHOUT PREJUDICE FOR
FAILURE TO STATE A CLAIM

Doc. 16

Plaintiff Daniel Ray Calderon is proceeding pro se and in forma pauperis in this prisoner action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 20, 2024, the assigned magistrate judge entered findings and recommendations, recommending that this action be dismissed, without prejudice, based on plaintiff's failure to state any cognizable claims. Doc. 16. The findings and recommendations were served on plaintiff and contained notice that objections were to be filed within thirty days of service. *Id.* at 9. Plaintiff has not filed objections and the time to do so has expired.

In accordance with 28 U.S.C. § 636(b)(1), this court has conducted a de novo review of this case. After carefully reviewing the file, the court finds the findings and recommendations are supported by the record and proper analysis.

1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The findings and recommendations issued on June 20, 2024, Doc. 16, are
3 ADOPTED IN FULL;
4 2. This action is DISMISSED without prejudice for failure to state a claim; and
5 3. The Clerk of Court is directed to CLOSE this case.
6

7
8 IT IS SO ORDERED.

9 Dated: November 2, 2024


UNITED STATES DISTRICT JUDGE